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DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

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FAX: 558-5991COMMISSION CALENDAR
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To Interested Parties Regarding the Attached Preliminary Mitigated Negative Declaration:

A Preliminary Mitigated Negative Declaration is being sent to you because you own property adjacent to the site, or because you have expressed an interest in the proposed project or the project area. Notice of publication of this document was printed in a newspaper of general circulation on the day that this was mailed to you.

Prior to consideration of the proposed project by decision makers (which may result in either approval or disapproval) the Planning Department is required to complete an environmental evaluation. In addition, the Department's Major Environmental Analysis Division has determined that it could not **significantly** affect the environment. The Preliminary Mitigated Negative Declaration containing this determination with supporting reasons is

5/S



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the date of publication indicated on the first page of the Preliminary Mitigated Negative Declaration by any person may:

materials for informational purposes.

for amendment of the text. (Text may be amended to clarify or correct or to include additional relevant issues or to cover issues in greater depth. (as described below). - OR -

of no significant effect in a letter that specifies the grounds for such an environmental impact report (EIR) be prepared. Send the appeal letter to the Planning Information Counter, 1660 Mission Street, Suite 500, San Francisco CA, 94103. The appeal must be paid by a check in the amount of \$200.00 payable to the Planning Department by 5 p.m. on the 20th day following the date of the publication of the Preliminary Mitigated Negative Declaration. The appeal letter and supporting materials must be submitted to the Planning Information Counter on the first floor at 1660

The Planning Commission to determine whether or not an EIR must be prepared, based upon whether or not the project could have a substantial adverse effect on the physical environment. If an appeal is filed, there will be a public hearing at which anyone may testify for or against the contention that an EIR is required. In the absence of an appeal, the Mitigated Negative Declaration may be made final, subject to necessary modifications, at the end of the 20-day review period.

Please note that preparation or finalization of a Mitigated Negative Declaration does not indicate a decision by the City to approve or to disapprove the proposed project. However, prior to making any such decision, the decision makers must review and consider the information contained in the Mitigated Negative Declaration.

D
REF
711.4097
T3491p

If you have any questions concerning the attached materials or this process, please contact the planner identified as the "Agency Contact Person" on the Preliminary Mitigated Negative Declaration cover page.

DOCUMENTS DEPT.

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To Interested Parties Regarding the Attached Preliminary Mitigated Negative Declaration:

A Preliminary Mitigated Negative Declaration is being sent to you because you own property adjacent to the site, or because you have expressed an interest in the proposed project or the project area. Notice of publication of this document was printed in a newspaper of general circulation on the day that this was mailed to you.

Prior to consideration of the proposed project by decision makers (which may result in either approval or disapproval), the Planning Department is required to complete an environmental evaluation. In conformance with this requirement, the Department's Major Environmental Analysis Division has evaluated the current proposal and has determined that it could not **significantly** affect the environment. A Preliminary Mitigated Negative Declaration containing this determination with supporting reasons is enclosed.

Within 20 calendar days from the date of publication indicated on the first page of the Preliminary Mitigated Negative Declaration, any person may:

- 1) Review the attached materials for informational purposes.
- 2) Make recommendations for amendment of the text. (Text may be amended to clarify or correct statements and may be expanded to include additional relevant issues or to cover issues in greater depth. This may be done without the appeal described below). - OR -
- 3) Appeal the determination of no significant effect in a letter that specifies the grounds for such appeal and requests that an environmental impact report (EIR) be prepared. Send the appeal letter to the Planning Department, Attention: Paul Maltzer, 1660 Mission Street, Suite 500, San Francisco CA, 94103. **The letter must be accompanied by a check in the amount of \$200.00 payable to the Planning Department, and must be received by 5 p.m. on the 20th day following the date of the publication indicated on the first page of the Preliminary Mitigated Negative Declaration.** The appeal letter and check may also be presented in person at the Planning Information Counter on the first floor at 1660 Mission Street, San Francisco.

An appeal requires the Planning Commission to determine whether or not an EIR must be prepared, based upon whether or not the project could have a substantial adverse effect on the physical environment. If an appeal is filed, there will be a public hearing at which anyone may testify for or against the contention that an EIR is required. In the absence of an appeal, the Mitigated Negative Declaration may be made final, subject to necessary modifications, at the end of the 20-day review period.

Please note that preparation or finalization of a Mitigated Negative Declaration does not indicate a decision by the City to approve or to disapprove the proposed project. However, prior to making any such decision, the decision makers must review and consider the information contained in the Mitigated Negative Declaration.

If you have any questions concerning the attached materials or this process, please contact the planner identified as the "Agency Contact Person" on the Preliminary Mitigated Negative Declaration cover page.

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PRELIMINARY MITIGATED NEGATIVE DECLARATION

Date of Publication of Preliminary Mitigated Negative Declaration: March 25, 2006

Lead Agency: Planning Department, City and County of San Francisco
1660 Mission Street, San Francisco, CA 94103

Agency Contact Person: Viktoriya Mass

Telephone: (415) 558-5955

Project Title: 2004.0897E – 1315-1327 Seventh Avenue

Project Sponsor/Contact: West Seventh Avenue Partners, LLC
Hamilton & Company Architecture

Telephone: (415) 725-3092

Telephone: (510) 547-6914

Project Address: 1315-1327 Seventh Avenue

Assessor's Block and Lot: Block 1762, Lots 4, 5 and 6

City and County: San Francisco

Project Description: The project site is located at 1315-1327 Seventh Avenue, between Irving and Judah Streets (Assessor's Block 1762, Lots 4, 5 and 6). The approximately 8,813-square foot project site is comprised of three, contiguous, 25-foot-wide lots, which are proposed to be merged into one parcel. At present, the three lots are occupied by a single-story, approximately 802-square-foot auto repair facility (Lot 4); an approximately 3,278-square-foot, three-story building with 2 residential units and ground-floor retail (Lot 5); a pair of attached two-story cottages of 1,422 square feet each (Lots 5 and 6); and a single-story, 493-square-foot, one-car garage (Lot 6). The proposed project would include the demolition of the auto repair facility, the three-story residential building, and the single-story one-car structure. The attached two-story cottages would not be demolished, but would be remodeled and expanded to include a third, two-story cottage at the rear lot line in the northwest corner of the project site. The remodeled cottages would be about 1,500 square feet each and the new cottage would be about 1,200 square feet in size. The cottages would be approximately 30 feet high from the ground to the ridge of the roof. The proposed project also includes the construction of a four-story, 40-foot-high building with a basement level parking garage. The new approximately 24,00-square-foot-building would have eight residential units, approximately 2,800 square feet of ground-floor retail space and 11 off-street parking spaces in the basement parking garage. Upon completion, the proposed project would result in a total of 11 dwelling units.

The project site is located on the west side of Seventh Avenue, in the block bounded by Judah, Eighth and Irving Streets. The northern and middle lots (Lots 4 and 5) are in the Inner Sunset Neighborhood Commercial zoning district. The southern lot (Lot 6) is in the RH-2 (House, Two Family) zoning district. The entire project site is within a 40-X height and bulk district. The proposed project would require a rear yard variance, a Conditional Use Authorization and a zoning reclassification to change the zoning of Lot 6 from RH-2 to Inner Sunset Neighborhood Commercial.

Building Permit Application Number(s), if Applicable: Not applicable.

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

Mitigation measures, if any, included in this project to avoid potentially significant effects: See page 31.

cc:

West Seventh Avenue Partners, LLC, Project Sponsor
Hamilton & Company Architecture
Jared Eigerman, Rueben & Junius
Sara Vellve, Planning Department
Planning Commission

Ross Mirkarimi, District 5, Board of Supervisors
Distribution List
V.Byrd/Master Decision File and Bulletin Board
Historic Preservation Distribution List
Sean Elsbernd, District 7, Board of Supervisors

INITIAL STUDY

2004.0897E – 1315-1327 Seventh Avenue

PROJECT DESCRIPTION

The project site is located at 1315-1327 Seventh Avenue, between Irving and Judah Streets (Assessor's Block 1762, Lots 4, 5 and 6). Figure 1 on page 2 shows the location of the proposed project. The approximately 8,813-square foot project site is comprised of three contiguous 25-foot-wide lots, which are proposed to be merged into one parcel. At present, the three lots are occupied by a single-story, approximately 802-square-foot auto repair facility (Lot 4); an approximately 3,278-square-foot, three-story mixed-use building with two residential units and about 1,000 square feet of ground-floor retail space (Lot 5); a pair of attached two-story cottages of 1,422 square feet each (Lots 5 and 6); and a single-story, 493-square-foot, one-car garage (Lot 6). The auto repair building was built in about 1910 by the Home Telephone Company and is currently occupied by Golden Gate Radiators.¹ The three-story mixed-use building was constructed in 1911 and the commercial space is currently vacant but was last occupied by Sue's Skincare Studio. The two cottages located at the rear of the project site were built in 1908 and most likely after World War II were joined to become one residence. The wooden one-car garage, at the front of Lot 6, was built in 1928.

The proposed project would include the demolition of the auto repair building, the three-story mixed-use building and the one-car garage. The attached two-story cottages would not be demolished, but would be remodeled and expanded to include a third two-story cottage at the rear lot line in the northwest corner of the project site. A four-story, 40-foot-high mixed-use building with a basement parking garage would be constructed in place of the demolished structures. Table 1 presents the development program for the proposed project. The approximately 23,703-square-foot mixed-use building would have eight residential units and about 2,787 square feet of ground-floor retail space. Of the eight dwelling units, one unit would be 1-bedroom, two units would be 2-bedrooms, and five units would be 3-bedrooms. The ground floor of the mixed-use building would include the retail space, the lobby and bottom floor of the 1-bedroom unit (see Figure 2 on page 3). The second through fourth floors would be entirely residential. Figure 3 on page 4 shows the second floor plan, which is representative of the layout of the third and fourth floors. The proposed project would include an underground (basement) level that would lie underneath 96-percent of the lot (see Figure 4 on page 5). The basement level would include a garage with 11 off-street parking spaces, tenant storage space, bicycle storage space, mechanical equipment space as well as a lower floor for the street-level retail space. The mixed-use building would be visually divided into two parts: the southern portion would be a stone-faced, four-story building with a 40-foot gable roof; the northern portion would be designed in the Art Deco-style with three bays over three broad arches with a 40-foot flat roof (see Figure 5 on page 6). Three separate entrances/exits on Seventh Avenue would provide access to the dwelling units, retail space and basement-level parking garage.

¹ William Kostura, *Historical Evaluation of 1315-1327 Seventh Avenue*, August 2004. A copy of this report is available for public review by appointment at the Planning Department, 1660 Mission Street, 5th Floor, as part of File No. 2004.0897E.

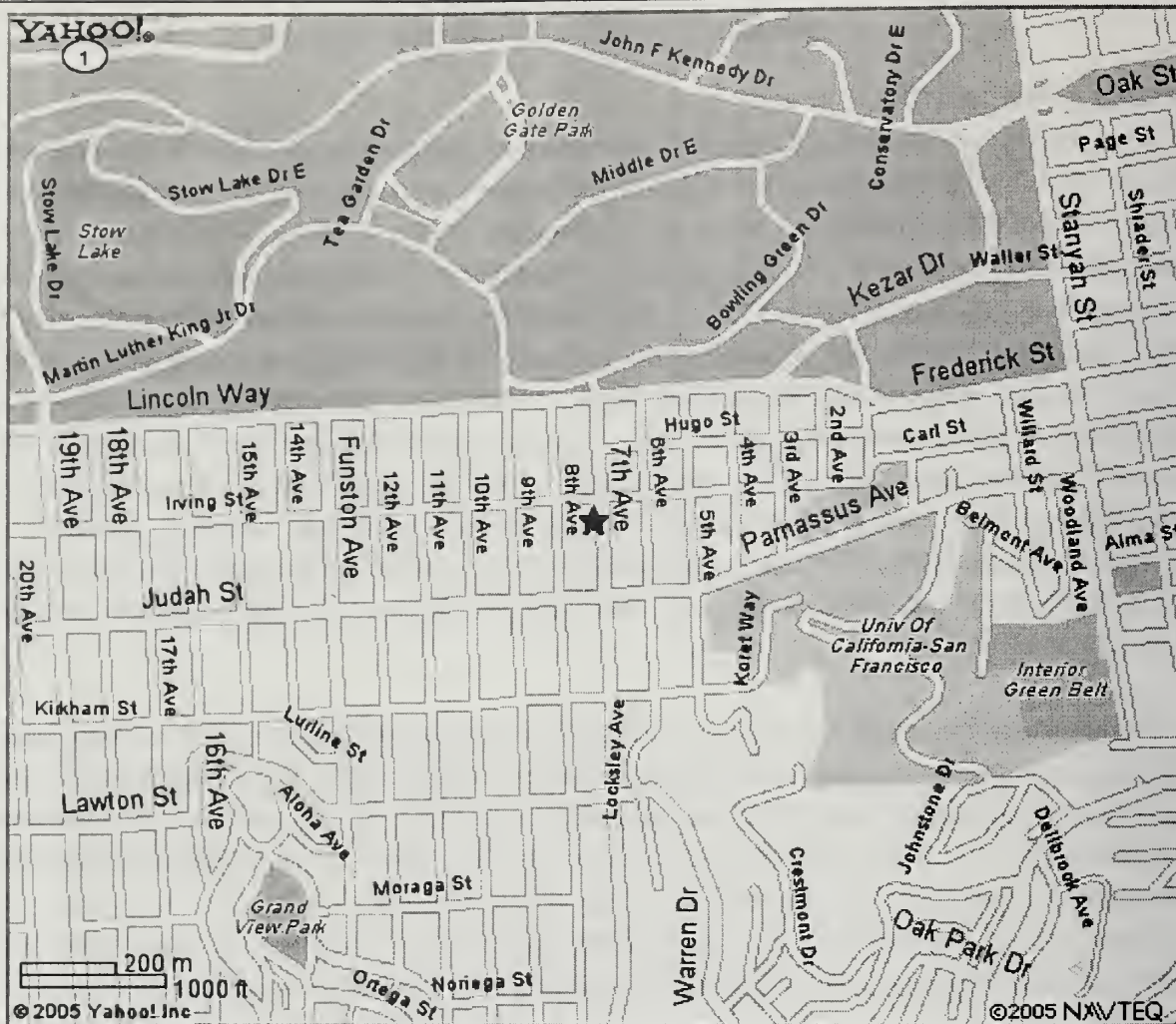


FIGURE 1
PROJECT SITE LOCATION
 Source: Yahoo Maps, 2005.

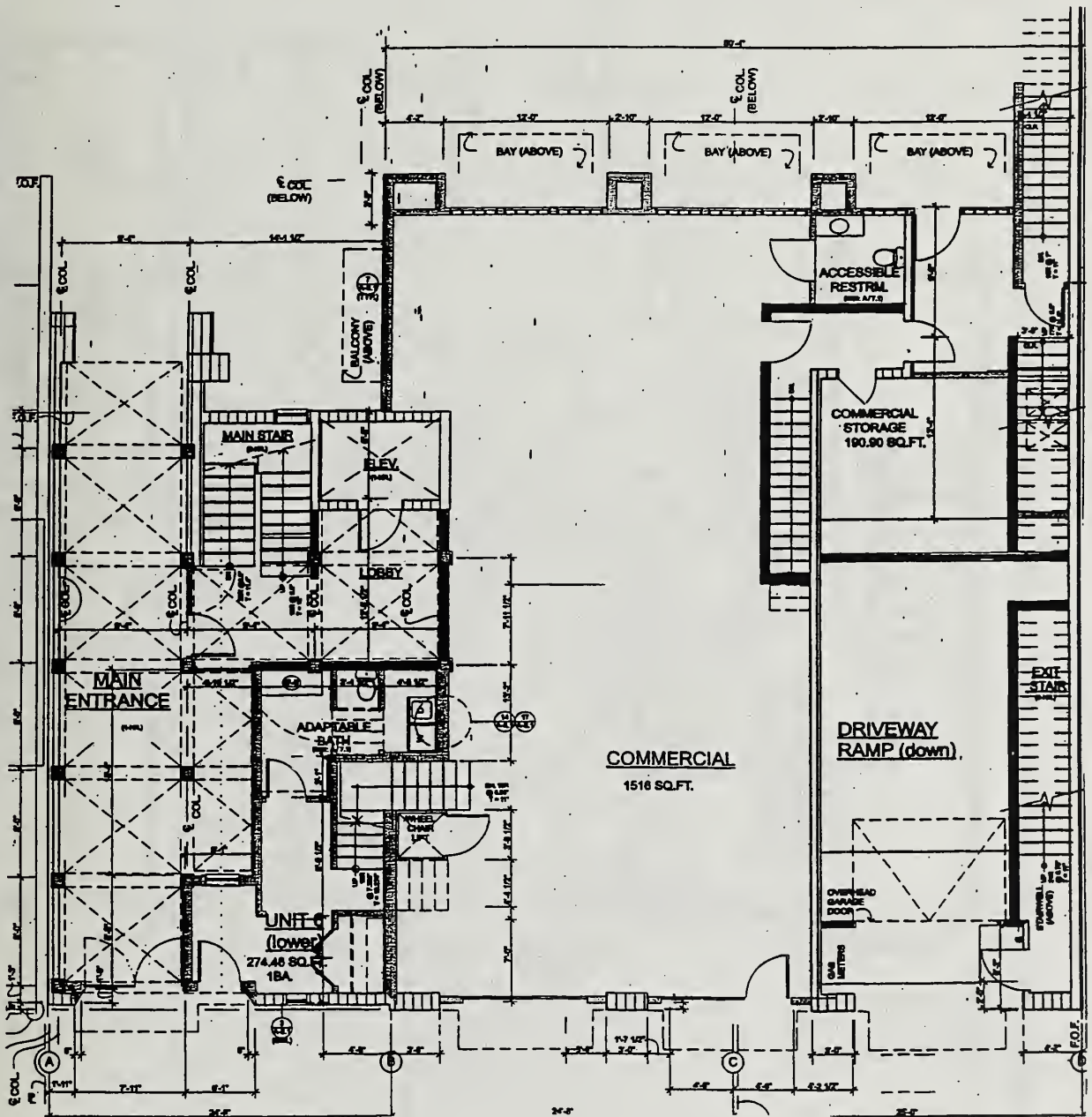


FIGURE 2

MIXED-USE BUILDING GROUND FLOOR

Source: Hamilton & Company Architecture, February 2006.

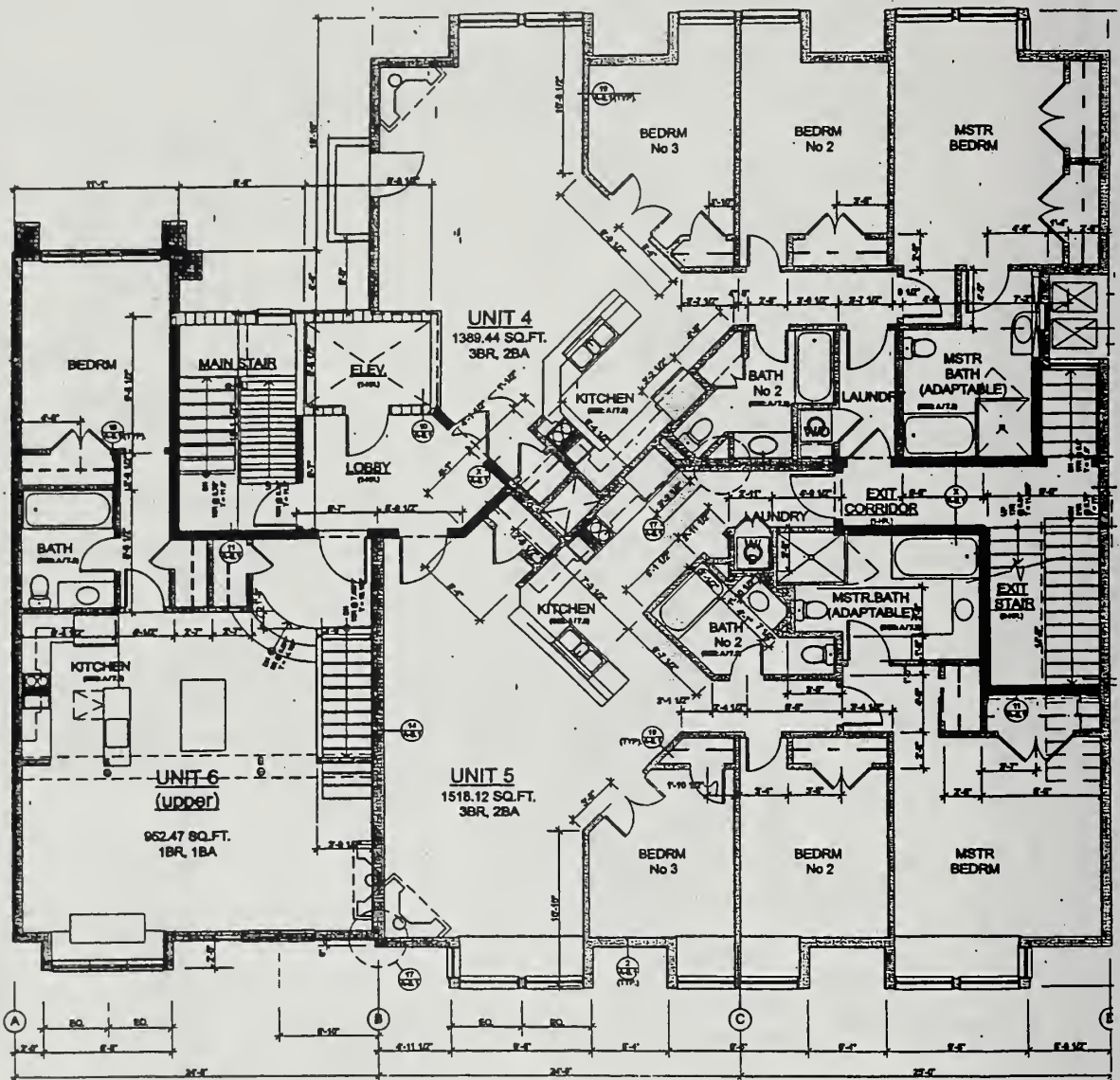


FIGURE 3

MIXED USE BUILDING SECOND FLOOR PLAN

Source: Hamilton & Company Architecture, February 2006.

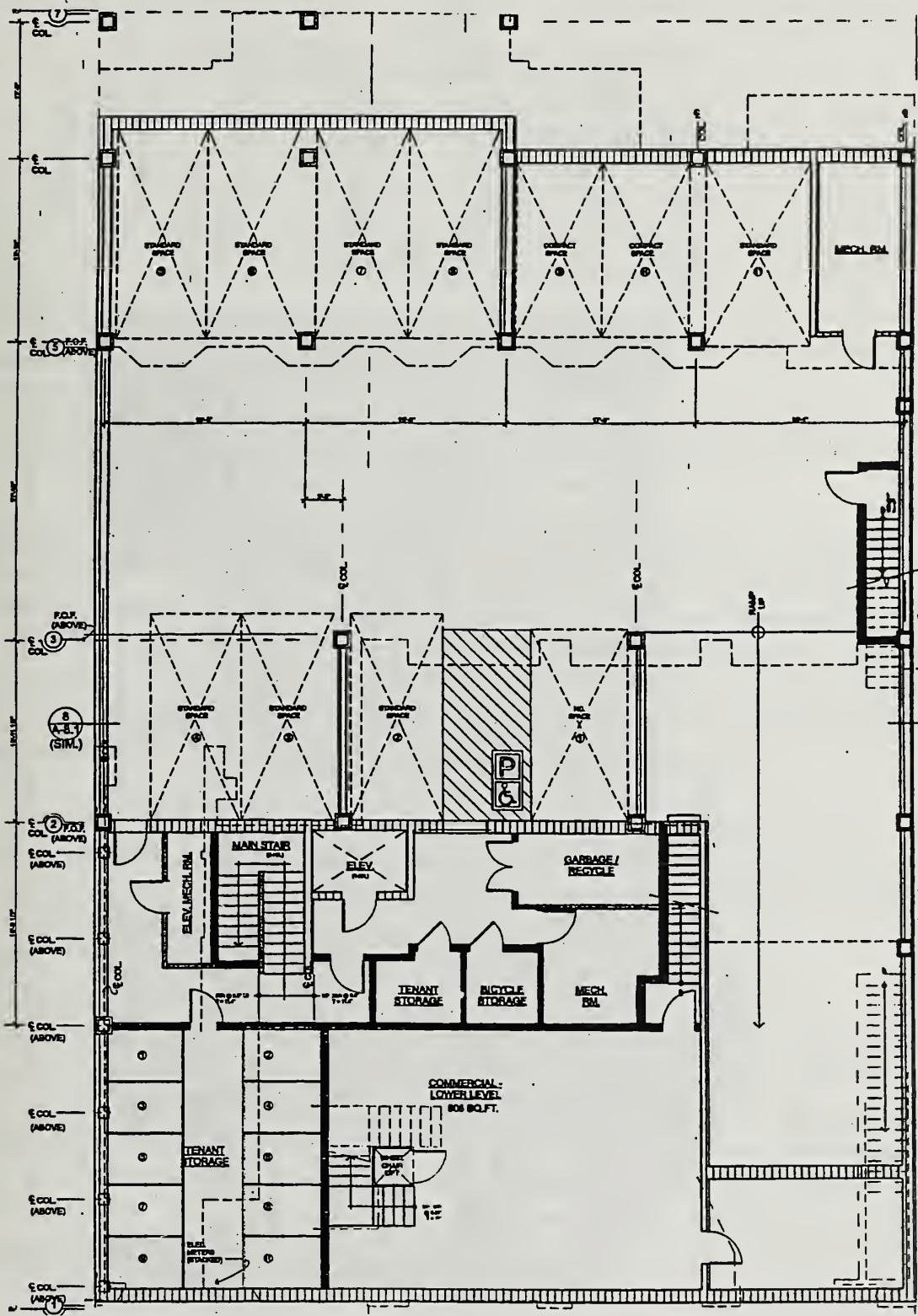


FIGURE 4

MIXED USE BUILDING BASEMENT LEVEL

Source: Hamilton & Company Architecture, February 2006.

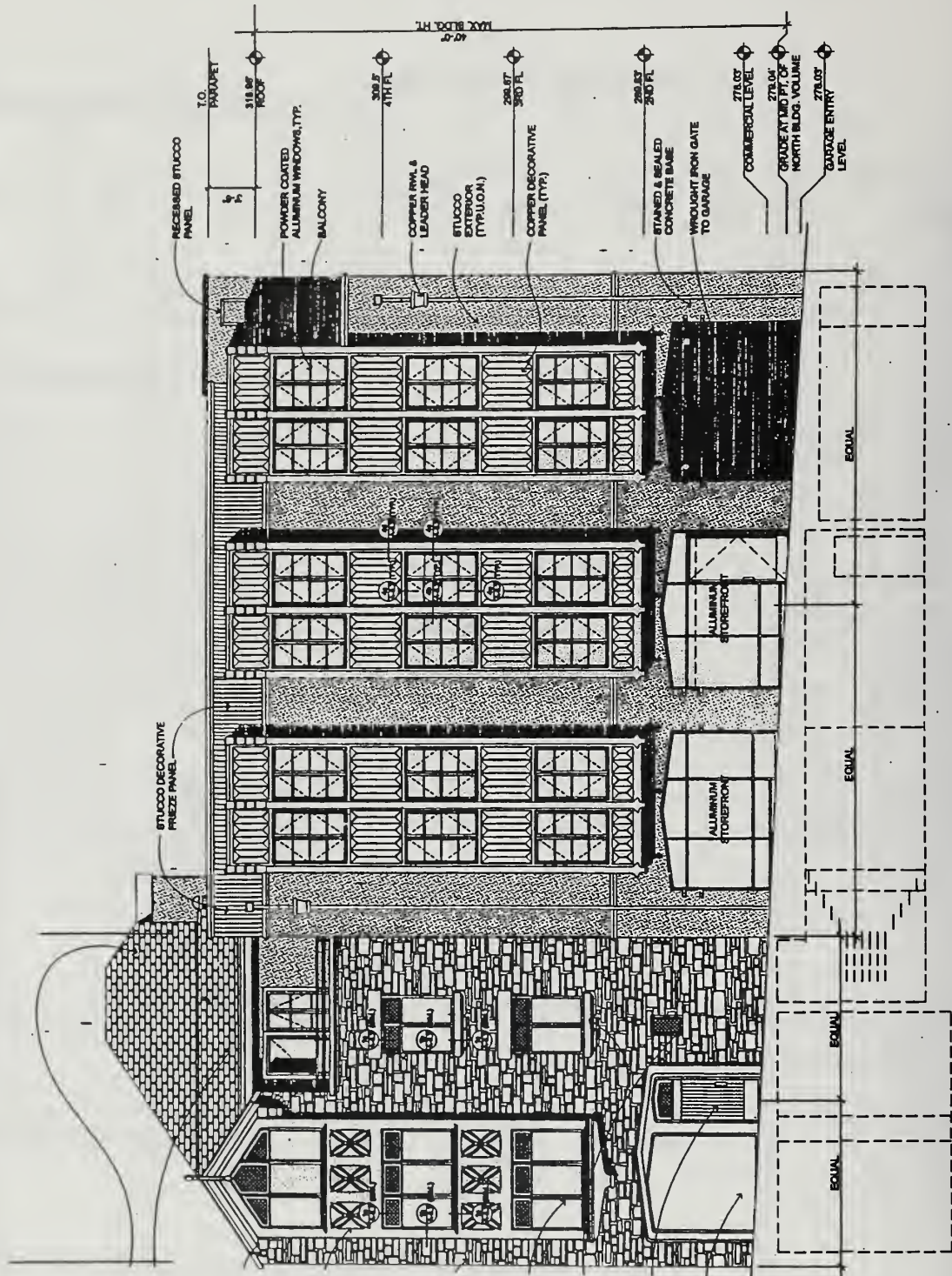


FIGURE 5
MIXED-USE BUILDING FAÇADE ELEVATIONS
 Source: Hamilton & Company Architecture, February 2006.

TABLE 1
PROPOSED PROJECT DEVELOPMENT PROGRAM

	Mixed- Use Building	Cottages		Total
		Existing Cottages	Proposed Cottage	
Retail (sq. ft.)	2,787	-	-	2,787
Residential (sq. ft.)	11,844	2,898	1,332 ²	16,074
Other (sq. ft.) ¹	9,072	-	-	9,072
Total (sq. ft.)	23,703	2,898	1,332	27,933
Dwelling Units	8	2	1	11
Parking Spaces	8	1	2	11

Source: Hamilton & Company Architecture, June 30, 2005.

1. Other space includes parking area, storage area, lobby, and circulation.
2. This includes small additions to the rear of the existing cottages as well as the new cottage. The new cottage would be approximately 1,156 square feet while the small additions to the existing cottages would be approximately 176 square feet.

As mentioned above, the existing cottages in the rear of the project site would not be demolished, but would be renovated and expanded at the rear by about 88 square feet each. The existing roof and eave heights would be retained. Upon completion, the existing cottages would be approximately 1,537 square feet each. The proposed project would also include the construction of a new, two-story, approximately 1,156-square-foot cottage. The new cottage would be located in the northwest corner of the project site and would be attached to one of the existing cottages (see Figure 6 on page 8). All three cottages would be 2-bedroom units and would rise about 30 feet above grade (see Figure 7 on page 9).

Vehicular access to the basement-level parking garage would be from Seventh Avenue via a ramp. Entrance/exit to the retail ground level space would also be from Seventh Avenue. The residential component of the mixed-use building would have a separate entrance also off of Seventh Avenue. The cottages would be accessible through the mixed-use building via an open entry gallery.

PROJECT SETTING

The project site is located in the Inner Sunset neighborhood, on the west side of Seventh Avenue, in the block bounded by Judah Street, Eighth Avenue and Irving Street. The northern and middle lots (Lots 4 and 5) are in the Inner Sunset Neighborhood Commercial (NCD) zoning district. The southern lot (Lot 6) is in the RH-2 (House, Two Family) zoning district. The entire project site is within a 40-X height and bulk district. Adjacent to the project site on the north is a one-story commercial building (Mike's Union Auto Service) and on the south is a two-story institutional building (Seventh Avenue Church). Across Seventh Avenue from the project site is a four-story mixed use building, a public surface parking lot and a three-story Laguna Honda School.

The project site vicinity exhibits a variety of land uses, including residential, commercial, institutional and public. Residential uses dominate Seventh Avenue between Irving and Judah Streets; however,

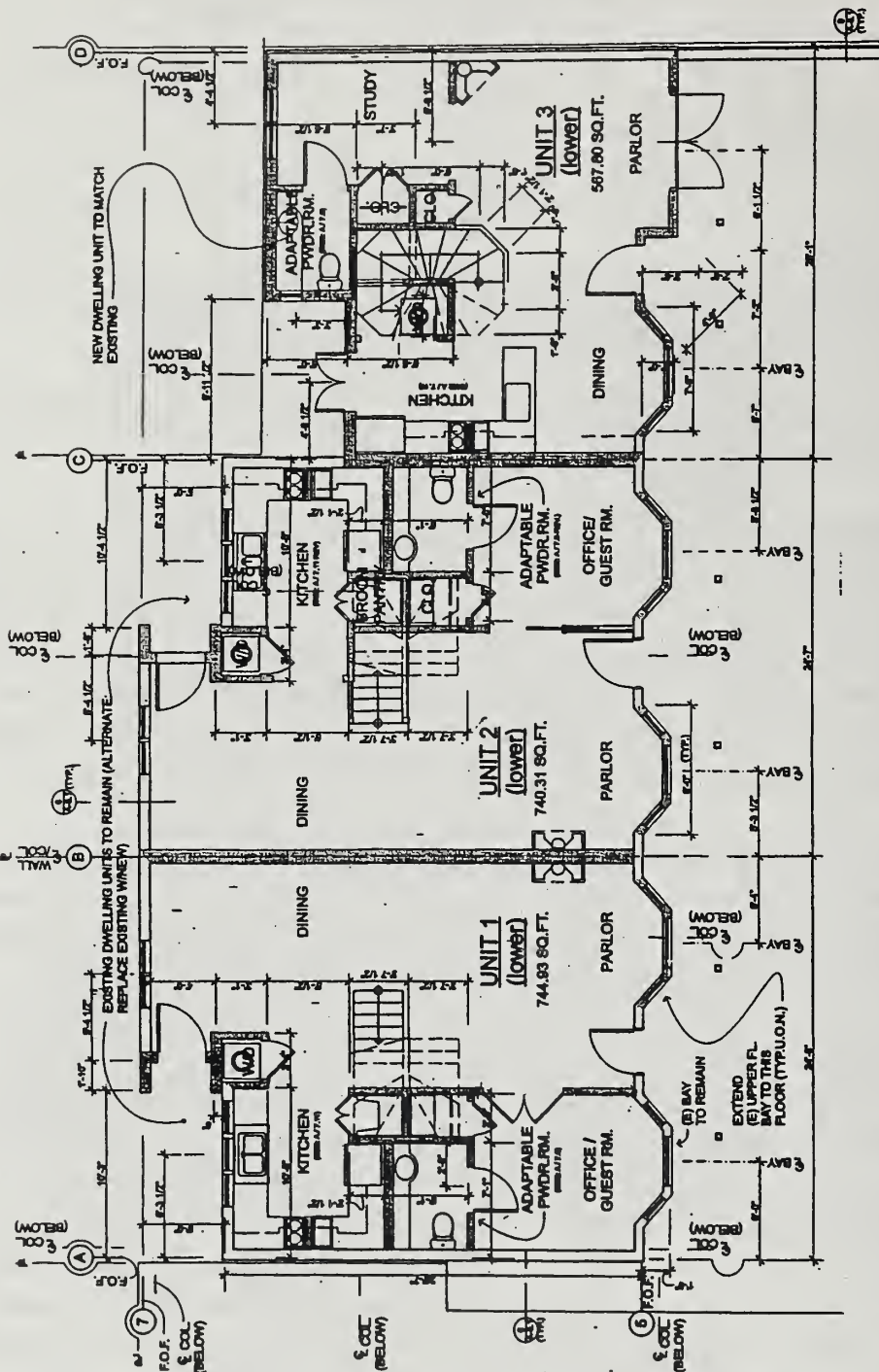


FIGURE 6
COTTAGE GROUND FLOOR PLAN

Source: Hamilton & Company Architecture, February 2006.

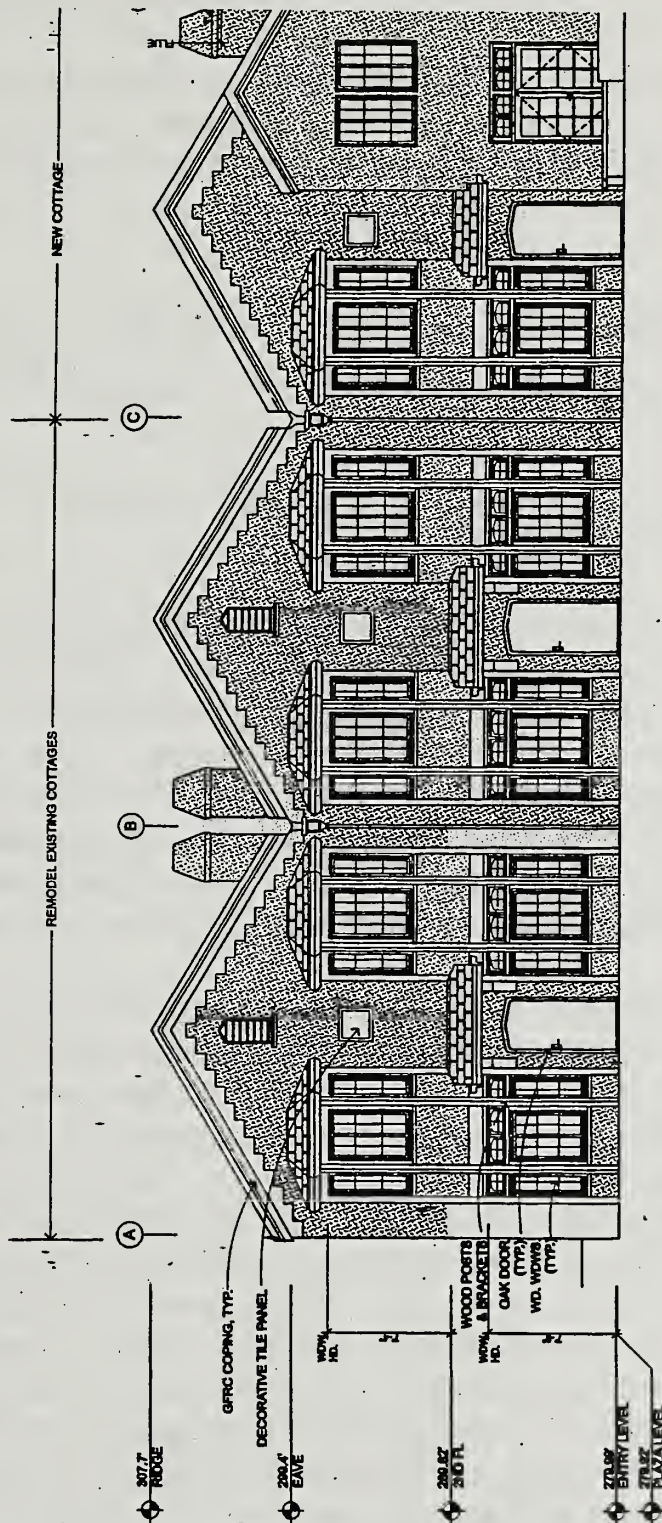


FIGURE 7
COTTAGES FAÇADE ELEVATION

Source: Hamilton & Company Architecture, February 2006.

several institutional uses, such as the Seventh Avenue Church and the Laguna Honda School, as well as public and commercial uses are also present. The residential uses are varied and range from single-family homes to medium-sized apartment complexes. The predominant scale of residential buildings on Seventh Avenue is two- to four-stories tall. In the project site vicinity, Irving Street is characterized by ground-floor, neighborhood-serving commercial uses with some buildings containing residential uses on upper floors. The presence of neighborhood-serving commercial establishments makes the project site vicinity an area of high pedestrian traffic. The predominant scale of buildings on Irving Street is two- to three-stories with corner buildings generally being larger and reaching four stories.

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<u>NOT</u> <u>APPLICABLE</u>	<u>DISCUSSED</u>
1) Discuss any variances, special authorizations, or changes proposed to the City Planning Code or Zoning Map, if applicable.	—	<u>X</u>
2) Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable.	—	<u>X</u>

The *San Francisco Planning Code (Planning Code)*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Planning Code*, or an exception is granted pursuant to provisions of the *Planning Code*. Approval of the proposed project would result in demolition of three existing buildings, renovation of two existing buildings and construction of two new buildings. Altogether, the proposed project would comprise 11 residential units and 2,787 square feet of retail. The specific impacts of this proposed development are discussed below under the relevant topic headings.

The project site is within the Inner Sunset NCD (Lots 4 and 5) and RH-2 zoning districts (Lot 6). The project sponsor is seeking a zoning reclassification to change the zoning of Lot 6 from RH-2 to Inner Sunset NCD. Residential uses are principally permitted in the Inner Sunset NCD at a density of 1 dwelling unit per 800 square feet of lot area. The project sponsor is proposing to merge the three contiguous lots into one parcel totaling about 8,813 square feet. Thus, the area of the newly created lot would allow for a maximum density of 11 dwelling units.² The project site would be developed with 11 dwelling units and as such, would comply with the density requirement of the *Planning Code*. Retail uses are also principally permitted on the ground level in the Inner Sunset NCD. However, nonresidential uses of 2,500 square feet or more and demolition of a residential structure in a Neighborhood Commercial district require a Conditional Use Authorization from the Planning Commission. Since the proposed project would construct about 2,787 square feet of retail use and demolish a residential building, it would require a Conditional Use Authorization. The proposed project would also require a Condition Use Authorization for construction of buildings on a lot larger than 5,000 square feet (*Planning Code* Section 121.1). The project sponsor is also seeking a variance for modification of rear yard requirements in

² 8,813 square feet ÷ 800 square feet = 11.02 dwelling units.

Neighborhood Commercial Districts (*Planning Code* Section 134) and for expansion of a noncomplying structure (*Planning Code* Section 188).

Pursuant to *Planning Code* Section 151, the proposed project would be required to provide 11 off-street parking spaces for the residential use, and no parking for the retail space. The proposed project would provide 11 independently accessible off-street parking spaces and therefore, would meet *Planning Code* parking requirements.

The project site is within the 40-X height and bulk district. The mixed-use building would be four stories, rising approximately 40 feet above grade. The three cottages at the rear of the lot would rise about 30 feet above grade. Thus, the proposed project would be within the permissible height limit of 40 feet.

The *San Francisco General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The proposed project would not obviously or substantially conflict with any such policy. As part of the decision to approve, modify, or disapprove the project, the Planning Commission would consider other potential conflicts with the *General Plan* and weigh *General Plan* policies and decide whether, on balance, the project is consistent with the *General Plan*. Any potential conflict not identified here could be considered in that context, and would not alter the physical environmental effects of the proposed project.

Environmental plans and policies are those, like the Bay Area Air Quality Management Plan, which directly address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City Planning Code to establish eight Priority Policies. These policies are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character; (3) preservation and enhancement of affordable housing; (4) discouragement of commuter automobiles; (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; (6) maximization of earthquake preparedness; (7) landmark and historic building preservation; and (8) protection of open space. Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. The proposed project would not obviously or substantially conflict with any such policy as it relates to physical environmental issues. As part of its decision to approve, modify or disapprove the project, the Planning Commission will consider other potential conflicts with Priority Policies and decide whether, on balance the project is consistent with the Priority Policies.

B. ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist have been checked "No," indicating that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect. Several of those Checklist items have also been checked "Discussed," indicating that the Initial Study text includes discussion about that particular issue. For all of the items checked "No," without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Department, such as the Department's *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the proposed project both individually and cumulatively.

1) <u>LAND USE</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Disrupt or divide the physical arrangement of an established community?	<u>—</u>	<u>X</u>	<u>X</u>
(b) Have any substantial impact upon the existing character of the vicinity?	<u>—</u>	<u>X</u>	<u>X</u>

The project site is within San Francisco's Inner Sunset neighborhood. The project site comprises three lots: Lot 4 is approximately 2,813 square feet; Lots 5 and 6 are approximately 3,000 square feet each. The project sponsor is proposing to merge all three lots to create a single lot that would be approximately 8,813 square feet in size. The proposed project involves the construction of a four-story, 40-foot-high mixed-use building with a basement-level parking garage, ground level retail and eight residential units; renovation and expansion of two existing cottages at the rear of the lot; and construction of a third cottage in the northwest corner of the project site. Land use impacts are considered to be significant if the proposed project would disrupt or divide the physical arrangement of an established community, or have a substantial impact upon the existing character of the vicinity.

The proposed project would not constitute a change in land use from the existing conditions since the project site is currently occupied by residential and commercial uses. The proposed uses would not result in a substantial impact on the existing character of the vicinity because they are principally permitted and consistent with the predominantly mixed-use character of the vicinity. Additionally, at 40 feet tall, the proposed project would be consistent with the scale of the surrounding development. The proposed project would not disrupt or divide the physical arrangement of existing uses and activities that surround the project site. It would be incorporated within the established street plan and would create no impediment to the passage of persons or vehicles. While merging of the three contiguous lots into a 8,813-square-foot lot, with a 75-foot frontage on Seventh Avenue, would result in a relatively large parcel, there are a number of other lots on the subject block that are of similar size and dimensions. For example, lots immediately north and south of the project site have an area of about 8,500 square feet and 9,000 square feet, respectively, and have a 75-foot frontage on Seventh Avenue. The lot on the southeast

corner of Seventh Avenue and Irving Street, across the street from the project site, is approximately 7,000 square feet and also has a 75-foot frontage on Seventh Avenue. A lot about 100 feet south of the project site is approximately 10,500 square feet and has an 87.5-foot frontage on Seventh Avenue. Given that there are a number of relatively large lots adjacent to the project site and in the immediate vicinity, the merging of the three contiguous lots would not substantially impact the existing character of the neighborhood.

In summary, the nature and intensity of the proposed project is consistent with the existing character of development in the area, which is mixed and includes residential as well as commercial uses. Since the proposed project would not divide a community or substantially affect the existing character of the area, it would not result in a significant land use impact. Additionally, though the proposed project would represent an increase in the number of dwelling units, it would not represent a change from the existing land use and therefore, would not result in a significant impact.

2) <u>VISUAL QUALITY</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Have a substantial, demonstrable negative aesthetic effect?	<u>—</u>	<u>X</u>	<u>X</u>
(b) Substantially degrade or obstruct any scenic view or vista now observed from public areas?	<u>—</u>	<u>X</u>	<u>X</u>
(c) Generate obtrusive light or glare substantially impacting other properties?	<u>—</u>	<u>X</u>	<u>X</u>

Design and aesthetics are by definition subjective, and open to interpretation by decision makers and members of the public. A proposed project would, therefore, be considered to have a significant adverse effect on visual quality only if it would cause a substantial and demonstrable negative change. The proposed project would not cause such a change.

The existing visual characteristics in the vicinity of the project site are varied, reflecting a mix of land uses and architectural styles. The dominant visual features along Seventh Avenue include a collection of two- to four-story residential homes, the Seventh Avenue Church and the Laguna Honda School. Golden Gate Park is visible to pedestrians and drivers when traveling in the northbound direction along Seventh Avenue. Additionally, parts of the University of San Francisco campus are visible from the Seventh Avenue sidewalk immediately adjacent to the project site. The dominant visual features along Irving Street include ground-level commercial uses with the associated signs and awnings, numerous pedestrians and vehicles as well as MUNI Metro rail tracks.

The proposed project would result in a visual change to the project site since it would involve the demolition of the existing auto repair facility, mixed-use building and detached garage. The proposed project would be taller than the adjacent buildings to the north and south, but would be approximately the same height as numerous buildings within the project site vicinity. The three cottages at the rear of the lot would not be visible from the street. The scale and massing of the mixed-use building would not be out

of character with some of the nearby buildings, such as the four-story mixed-use building on the southeast corner of Seventh Avenue and Irving Street, the Laguna Honda School, the apartment complex approximately 100 feet south of the project site and several other buildings in the immediate vicinity. The proposed project, which would be larger in scale than some buildings in the vicinity, would be readily apparent in short-range views of the site. However, the project would be indistinguishable in longer-range views of the site and would tend to blend into the densely-built urban fabric of the area. In light of the above, the proposed project would not have a substantial demonstrable negative aesthetic effect.

Views of the project site are limited to occupants of buildings and drivers along Seventh Avenue and limited parts of Irving Street. While private views of the surrounding neighborhood from nearby lots could potentially be blocked by the proposed project, this would not be considered a significant effect on the environment.

The only public open space located within the project site vicinity is Golden Gate Park. The project site is not visible from Golden Gate Park due to intervening buildings. The proposed project would not degrade or obstruct any scenic view or vista now observed from a public area. Therefore, it would result in a less-than-significant visual quality impact.

Brightly lit storefronts, signs and street lighting all contribute to existing nighttime lighting conditions in the project vicinity. The nighttime lighting generated by the proposed project would not be substantially different from the existing nighttime lighting in the project vicinity, which has similar land uses. Furthermore, the proposed project would comply with the City Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. Mirrored glass would not be used, and no other aspects of the buildings would result in light or glare that would significant impact other properties. As a result, the proposed project would not generate obtrusive light and glare that could substantially impact other properties. For the above reasons, the proposed project would not have a significant impact on visual resources.

3) <u>POPULATION</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Induce substantial growth or concentration of population?	—	<u>X</u>	<u>X</u>
(b) Displace a large number of people (involving either housing or employment)?	—	<u>X</u>	<u>X</u>
(c) Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	—	<u>X</u>	<u>X</u>

The retail component of the proposed project would be expected to add approximately 4 new employees.³ At present, the auto repair facility employs one person and the ground-floor retail space is vacant. Thus, the proposed project would result in 3 net new employees. The residential component of the proposed

³ Rachel Hamilton, Hamilton & Company, electronic communication with Viktoriya Mass, Planning Department Staff, January 20, 2006.

project would result in 11 dwelling units. Based on the average household density factor of 2.06 persons per unit for Census Tract 302.02, the proposed project would add approximately 23 new residents.⁴ Currently, all the existing residential units are vacant. While potentially noticeable to immediately adjacent neighbors, the increase in employees and residents on the site would not substantially increase the existing area-wide population because the project area is a densely populated urban area with existing commercial and residential uses. As such, the proposed project would not induce substantial population growth or concentration. Additionally, because the residential and ground-floor retail uses are currently vacant and the auto repair facility employs one individual, the proposed project would not displace a large number of people.

In March 2001, the Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination 1999-2006 allocation. The projected need of the City through 2006 is 20,327 dwelling units, or an average yearly need of 2,716 net new dwelling units. The proposed project would add a net of 8 dwelling units to the City's housing stock toward meeting this need. The proposed project would thus help address the City's broader need for additional housing in a citywide context in which job growth and in-migration outpace the provision of new housing.

The above discussion indicates that the proposed project would result in a less-than-significant population impact because it would not induce substantial population growth, displace a large number of people, or create substantial demand for housing. Furthermore, the proposed project would not result in a cumulative population impact, as it would add a negligible amount of new residents and employees to the neighborhood.

4) <u>TRANSPORTATION/CIRCULATION</u>	- Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?		—	<u>X</u>	<u>X</u>
(b) Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?		—	<u>X</u>	<u>X</u>
(c) Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?		—	<u>X</u>	<u>X</u>
(d) Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?		—	<u>X</u>	<u>X</u>

Using the Planning Department's 2002 *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002), the proposed project is estimated to generate approximately 526 daily person-

⁴ U.S. Census Bureau, Census 2000, *Census 2000 Summary File, Table P17*, Accessed at American FactFinder, http://www.factfinder.census.gov/servlet/DatasetMainPageServlet?_program=DEC&_lang=en&_ts=, Accessed on January 19, 2006.

trips. About 56 daily person-trips would be during the PM peak-hour. These trips would be distributed among various modes of transportation, including private automobile, carpools, public transit, walking, and other modes such as bicycling. Of the 56 PM peak-hour person-trips, 37 would be vehicle person-trips, 10 would be transit trips, 9 would be walking trips and 1 trip would be through some other mode of transportation.⁵

Traffic

Based on the mode split and average automobile occupancy for the proposed project, there would be 217 daily vehicular trips of which 23 would be during the PM peak hour. The number of vehicles that would be added to the PM peak hour by the proposed project is too low to have a perceptible effect on traffic flow on the street network serving the project area. The average driver would not discern a change in the level of delay or congestion they currently experience. Traffic impacts associated with the proposed project during the PM peak hour would not adversely affect the existing capacity of the surrounding street system. Accordingly, the proposed project would not result in a significant traffic impact. Furthermore, the proposed project would have a less-than-significant cumulative impact, as it would add a negligible number of PM peak hour trips to the surrounding street network in the cumulative (year 2025) context.

Transit

The project site is well served by public transit. There are seven MUNI lines (N-Judah, 6-Parnassus, 16BX-Noriega 'B' Express, 43-Masonic, 44-O'Shaughnessy, 71(L)-Haight-Noriega(Limited), and 94N-N-OWL) with stops in the project site vicinity. As mentioned above, the proposed project would generate about 10 PM peak hour transit trips, which would be distributed among the public transit lines providing service to the vicinity of the project site. This minor addition to the transit system would not have a substantial or noticeable impact upon transit services in the project area or affect transit operations. The proposed project would also have a less-than-significant cumulative impact as it would add a very small number of PM peak hour trips to the transit system.

Parking

Pursuant to *Planning Code* Section 151, the proposed project would be required to provide 11 off-street parking spaces for the residential use, and none for the retail space. The proposed project would provide 11 independently accessible off-street parking spaces and therefore, would meet *Planning Code* parking requirements.

Based on the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, the residential component of the proposed project would create a parking demand for about 16 parking spaces. Given that the proposed project would provide 11 spaces for the residential use, it would have an unmet residential parking demand of 5 daily spaces. The retail component of the proposed project would create a parking demand for about 20 off-street parking spaces. The proposed project would not provide any parking spaces for the retail use and, therefore, would result in an unmet retail

⁵ The vehicle, transit, walking and other person trips are rounded and therefore, total slightly more than 56 PM peak hour person trips.

parking demand of 20 parking spaces. Thus, the proposed project would result in a total unmet parking demand of 25 off-street parking spaces.

San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation." As discussed above, the project area is well served by public transit, which provides an alternative to auto travel.

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise and pedestrian safety analyses, reasonably addresses potential secondary effects.

Loading

The *Planning Code* Section 152 does not require off-street loading spaces for residential uses of less than 100,000 gross square feet (gsf) and retail uses of less than 10,000 gsf. The proposed project would not exceed these thresholds. Accordingly, no off-street loading spaces would be provided. Moreover, based on the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, the proposed project would not create any significant loading demand. The new residential and retail uses

would generate a demand of less than one loading space during both the average and the peak hour of lading activities. It is anticipated that this minimal lading demand would be accommodated on-street at a metered parking space. Residential move-in and move-out activities are anticipated to occur at the curb parking on Seventh Avenue, adjacent to the project site.

Pedestrian and Bicycle Conditions

Pedestrian entrance to the mixed-use building and cottages would be from Seventh Avenue. The ground-level retail space would have a separate entrance also off of Seventh Avenue. Pedestrian flows on Seventh Avenue would be expected to increase. However, the increase in pedestrian traffic would be relatively small and would be accommodated on the local sidewalks. Furthermore, the proposed project would not be expected to interfere with bicycle accessibility or create hazardous conditions for bicyclists.

Construction

During the approximately 12-month construction period, temporary and intermittent traffic and transit impacts would result from truck movements to and from the project site. The construction schedule would be approximately 7:30 p.m. to 4:30 p.m. weekdays. Most deliveries would be scheduled for early mornings. Temporary parking demand from construction workers' vehicles and impacts on local intersections from construction worker traffic would occur in proportion to the number of construction workers who would use automobiles. Although construction workers may have to circulate on streets in the vicinity of the project site to find available parking, the anticipated parking deficit would be temporary and would not substantially change the capacity of the existing street system or alter the existing parking conditions in the area.

5) <u>NOISE</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Increase substantially the ambient noise levels for adjoining areas?	—	<u>X</u>	<u>X</u>
(b) Violate Title 24 Noise Insulation Standards, if applicable?	—	<u>X</u>	<u>X</u>
(c) Be substantially impacted by existing noise levels?	—	<u>X</u>	<u>X</u>

Operational Noise

The urban setting of the project area includes numerous potential sources of noise. Based on published scientific acoustic studies, the traffic volumes in a project area would need to approximately double to produce an increase in ambient noise levels noticeable to most people in the area. Given that the proposed development would not cause a doubling in traffic volumes, the traffic generated by the proposed project would not cause a noticeable increase in the ambient noise level in the project vicinity.

The proposed project would not include mechanical equipment, such as forced air mechanical ventilation that would be anticipated to produce operational noise. The new residential and retail uses would generate noise similar to that generated by the nearby existing residential and commercial uses, and would

not result in significant noise impacts. The proposed project would result in a less-than-significant cumulative noise impact.

Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects. The Department of Building and Inspection (DBI) would review the final building plans to insure that the building wall and floor/ceiling assemblies meet State standards regarding sound transmission. Compliance with Title 24 of the California Code of Regulations would ensure that existing noise levels would not substantially impact project residents. Therefore, the proposed project would result in a less-than-significant noise impact.

Construction Noise

Demolition, excavation, and project construction would temporarily increase noise in the project vicinity. Construction would take approximately 12 months.⁶ During the majority of construction activity, noise levels would be above existing levels in the project area. Construction noise would fluctuate depending on the construction phase, equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers. It is anticipated that the construction of the proposed project would not require pile driving. There would be times when noise could interfere with indoor activities in nearby residences, offices and other businesses near the project site. Noise impacts would be temporary in nature and limited to the period of construction.

All construction activities would be required to comply with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that: (1) noise levels of construction equipment, other than impact tools, must not exceed 80 decibels (measured as dBA; a unit of measure for sound where "A" denotes use of the A-weighted scale, which simulates the response to the human ear to various frequencies of sound) at a distance of 100 feet from the source; (2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works to best accomplish maximum noise reduction; and (3) if the noise from the construction work would exceed the ambient noise levels at the property line of the site by five dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of the Department of Public Works authorizes a special permit for conducting the work during that period. Compliance with the Noise Ordinance is required by law and would reduce any construction noise-related impacts to a less-than-significant level.

In summary, project-related noise, including traffic, construction, operational and interior noise, would not result in significant environmental impacts.

⁶ Rachel Hamilton, Hamilton & Company, electronic communication with Viktoriya Mass, Planning Department Staff, March 10, 2006.

6) <u>AIR QUALITY/CLIMATE</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	—	<u>X</u>	<u>X</u>
(b) Expose sensitive receptors to substantial pollutant concentrations?	—	<u>X</u>	<u>X</u>
(c) Permeate its vicinity with objectionable odors?	—	<u>X</u>	—
(d) Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	—	<u>X</u>	<u>X</u>

Air Quality

The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts. These thresholds are based on the minimum size projects that the BAAQMD considers capable of producing air quality problems due to vehicular traffic. The BAAQMD considers residential projects greater than 510 apartment units, office projects greater than 280,000 gsf, and retail development greater than 87,000 gsf to result in potentially significant vehicular emission impacts. The proposed project would not exceed the above minimum standards and, therefore, no significant air quality impact due to vehicular emissions would be generated.

During construction, air quality could potentially be affected for short periods. The demolition of the existing structures, and the movement of soils to excavate the foundation and grade the project site, while minimal, would create fugitive dust and emit criteria pollutants as a result of diesel fuel combustion. The criteria pollutants or precursors to criteria pollutants are: nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂), hydrocarbons (HC), and particulate matter with a diameter of less than 10 microns (PM₁₀). Fugitive dust is made up of particulate matter including PM₁₀.

While construction emissions would occur in short-term, temporary phases, they could cause adverse effects on local air quality. The BAAQMD, in its CEQA Guidelines, has developed an analytical approach that obviates the need to quantitatively estimate these emissions. The BAAQMD has also identified a set of feasible PM₁₀ control measures for construction activities. There is no pile driving anticipated, and dust-generating activities resulting from site preparation and construction will be mitigated with water spray and covered truck hauling. The project sponsor has agreed to implement Mitigation Measure 1, Construction Air Quality, presented in Section D of this document. With implementation of this mitigation measure, construction air quality impacts would be reduced to a less-than-significant level.

Shadows

Section 295 of the *San Francisco Planning Code* was adopted in response to Proposition K (passed in November 1984) to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year-round. Section 295 restricts new shadow on public spaces under the jurisdiction of the Recreation and Park Department by any structure

exceeding 40 feet unless the City Planning Commission finds the impact to be insignificant. Since the proposed project would not exceed 40 feet, the provisions of Section 295 do not apply.

The proposed project would add new shade to portions of the project site as well as to surrounding properties. However, because of the height of the proposed buildings and the configuration of existing buildings in the vicinity, the net new shading which would result from the project's construction would be limited in scope, and would not increase the total amount of shading above levels which are common and generally accepted in urban areas. While the San Francisco Planning Department, as a lead agency, has chosen to incorporate the issue of the sun shading effects of proposed projects on public open spaces under the jurisdiction of or to be acquired by the Recreation and Park Commission, due to the dense urban fabric of the City, the loss of sunlight on private residences or property is rarely considered to be a significant impact on the environment under CEQA. Although residents may regard the increase in shadow during any time of the year an inconvenience, the limited amount of increase in shading would not be considered a significant or adverse impact under CEQA.

Wind

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. Since, the proposed project would not be substantially taller than nearby buildings, it would not result in adverse effects on ground-level winds. Additionally, the proposed project would not affect the climate either in the neighborhood or regionally.

7) <u>UTILITIES/PUBLIC SERVICES</u>	- Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Breach published national, state or local standards relating to solid waste or litter control?		—	<u>X</u>	—
(b) Extend a sewer trunk line with capacity to serve new development?		—	<u>X</u>	—
(c) Substantially increase demand for schools, recreation or other public facilities?		—	<u>X</u>	—
(d) Require major expansion of power, water, or communications facilities?		—	<u>X</u>	<u>X</u>

The project is currently served by fire, police, schools, solid waste collection, recreational facilities, water, gas, and electricity. The proposed project would increase demand for and use of public services and utilities on the site, but not in excess of amounts expected and provided for in this area. The proposed building would be designed to incorporate water-conserving measures, such as installing low flush toilets, as required by *San Francisco Building Code*. Accordingly, the proposed project would not result in significant utilities and public services impacts.

8) BIOLOGY - Could the Project:

	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Substantially affect a rare or endangered species of animal or plant or the habitat of the species?	—	<u>X</u>	<u>X</u>
(b) Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	—	<u>X</u>	<u>X</u>
(c) Require removal of substantial numbers of mature, scenic trees?	—	<u>X</u>	—

The proposed project site is in a developed urban area and does not support or provide habitat for any rare or endangered wildlife species, animal or plant life or habitat, nor would it interfere with any resident or migratory species. There are a number shrubs and trees on the project site. Four tarata (*Pittosporum eugenoides*) trees, ranging in diameter from 4 to 6 inches, are located behind the one-car garage and three tarata trees, ranging in diameter from 4 to 10 inches, are located behind the three-story building.⁷ Between the one-car garage and the three-story building there is an 8-inch Strawberry (*Arbutus unedo*) tree. Additionally, two 8- and 9-inch diameter Bronze Loquat (*Eriobortya deflexa*) street trees are located on the sidewalk in front of the project site. The proposed project would result in the removal of all the trees described above. However, the two street trees would be replaced.

Since the proposed project would not affect rare or endangered species, substantially diminish habitat or remove a substantial number of mature and scenic trees, it would result in less-than-significant biological resources impacts.

9) GEOLOGY/TOPOGRAPHY - Could the Project:

	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction).	—	<u>X</u>	<u>X</u>
(b) Change substantially the topography or any unique geologic or physical features of the site?	—	<u>X</u>	<u>X</u>

The *San Francisco General Plan* Community Safety Element contains maps that show areas of the City subject to geologic hazards. The project site is located in an area subject to ground shaking with nonstructural damage (level VII) along the San Andreas and Northern Hayward Fault in the San Francisco Bay Area (Maps 2 and 3 of the Community Safety Element). The project site is not located in an area of liquefaction potential, as shown in a Seismic Hazards Study Zone (SHSZ) designated by the California Division of Mines and Geology (Map 4 of the Community Safety Element). The geologic maps of the site vicinity do not show landslides at the site or its immediate vicinity. In addition, a map prepared by the California Division of Mines and Geology for the City and County of San Francisco (CDMG, 2000) does not indicate that the project site lies within an area of potential earthquake-induced

⁷ Transamerican Engineers, *Architectural Site Survey for 1315-1327 Seventh Avenue*, February 2004. This document is on file and available for public review by appointment at the Planning Department, 1660 Mission Street, 5th Floor, as part of Case File No. 2004.0897E.

landsliding.⁸ The project site is not in an area subject to tsunami run-up, or reservoir inundation hazards (Maps 6, and 7 in the Community Safety Element).

The project sponsor has provided a geotechnical investigation report, prepared by a California-licensed geotechnical engineer, which is on file with the Planning Department and is available for public review as part of the project file.⁹ The recommendations contained in the geotechnical report include but are not limited to: construction may be supported on a conventional spread footing foundation bearing in competent earth materials (if the spread footings would cover a substantial portion of the building area, a mat foundation may be used as an alternative); and temporary slopes would be necessary during site excavations. The geotechnical report found that the project site is suitable to support the proposed development providing that the recommendations included in the geotechnical report were incorporated into the design and construction of the proposed project. The project sponsor has agreed to follow the recommendations of the geotechnical report in constructing the proposed project.

The final building plans would be reviewed by the DBI. In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements necessary engineering and design features. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. The above referenced geotechnical investigation would be available for use by the DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed. Potential damage to structures from geologic hazards on a project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to its implementation of the *Building Code*.

To accommodate the basement-level parking garage and foundation for the proposed project, excavation to about 14 feet below ground surface would be required and about 244 cubic yards of material would be removed from the site. The grade of the project site is sloped (approximately 20 percent) in the north/south direction.¹⁰ The proposed project would not significantly alter the topography or otherwise affect any unique geologic or physical features of the site. Therefore, the proposed project would result in a less-than-significant topographical impact.

⁸ Earth Mechanics Consulting Engineers, *Geotechnical Investigation Report for Planned Development at 1315-1327 7th Avenue, San Francisco, California*, December 2, 2004. This document is on file and available for public review by appointment at the Planning Department, 1660 Mission Street, 5th Floor, as part of Case File No. 2004.0897E.

⁹ Ibid.

¹⁰ Golden Gate Tank Removal, Inc., *Phase 1 Environmental Site Assessment, 1315-1327 7th Avenue, San Francisco, California*, November 20, 2002. This document is on file and available for public review by appointment at the Planning Department, 1660 Mission Street, 5th Floor, as part of Case File No. 2004.0897E.

The project site is located at an elevation of about 275 feet above Mean Sea Level. Groundwater below the site is about 25-30 feet below ground surface.¹¹ The proposed project is anticipated to excavate about 14 feet below ground. Therefore, it is not anticipated that dewatering would be necessary. Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Systems Planning, Environment and Compliance of the S.F. Public Utilities Commission must be notified of projects necessitating dewatering, and may require water analysis before discharge. Should dewatering be necessary, the final soils report would address the potential settlement and subsidence impacts of this dewatering. The report would contain a determination as to whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, the Department of Public Works would require that a Special Inspector (as defined in Article 3 of the Building Code) be retained by the project sponsor to perform this monitoring.

Groundwater observation wells would be installed to monitor potential settlement and subsidence. If, in the judgment of the Special Inspector, unacceptable movement were to occur during dewatering, groundwater recharge would be used to halt this settlement. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor.

10) <u>WATER</u> - Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Substantially degrade water quality, or contaminate a public water supply?	—	<u>X</u>	<u>X</u>
(b) Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	—	<u>X</u>	—
(c) Cause substantial flooding, erosion or siltation?	—	<u>X</u>	—

The proposed project would not substantially degrade water quality or contaminate a public water supply. All sanitary wastewater from the proposed project, and storm water runoff from the project site would continue to flow into the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit. During operations, the proposed project would comply with all local wastewater discharge requirements. Therefore, the proposed project would not substantially degrade water quality.

Construction of the proposed project would involve demolition, excavation, soil stockpiling, grading, and construction of new residential buildings and an underground parking garage. These activities could cause erosion and transportation of soil particles that, once in surface water runoff, could cause sediment and other pollutants to leave the site and ultimately affect the water quality of San Francisco Bay.

¹¹ Ibid.

However, storm water runoff from project construction and project operation would be required to drain to the combined sewer and stormwater system and would be treated and discharged to the Bay in compliance with the City's NPDES Permit. In accordance with the permit, discharges to the Bay are in conformance with requirements of the Clean Water Act, Combined Sewer Overflow Control Policy, and the associated state requirements in the Water Quality and Control Plan for the San Francisco Bay Basin. Therefore, the proposed project would not substantially degrade water quality.

The proposed project would result in the project site being covered in its entirety by impervious surfaces (new and existing buildings as well as a paved area). This would represent a slight increase in the area of impervious surfaces from existing conditions. However, the proposed project is not anticipated to change the amount of impervious surface area to such an extent that it would measurably affect current runoff or groundwater. Therefore, neither groundwater resources nor runoff and drainage would be adversely affected. Overall, the proposed project would not have a significant adverse impact on water quality or supply.

The groundwater level is approximately 25-30 feet below ground surface. The proposed project is anticipated to excavate about 14 feet below ground. Therefore, it is anticipated that dewatering would not be necessary. However, as discussed in the Geology/Topography section above, any groundwater encountered during construction would be subject to the requirements of the City's Industrial Waste Ordinance (Ordinance No. 199-77), requiring that groundwater meet specified standards before it may be discharged into the sewer system.

11) <u>ENERGY/NATURAL RESOURCES</u>	- Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?		—	<u>X</u>	—
(b) Have a substantial effect on the potential use, extraction, or depletion of a natural resource?		—	<u>X</u>	—

New buildings in San Francisco are required to conform to energy conservation standards specified by Title 24 of the California Code of Regulations. Documentation showing compliance with these standards is submitted with the application for the building permit. The proposed project would meet current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the DBI. For this reason, the proposed project would not cause a wasteful use of energy.

San Francisco consumers have recently experienced rising energy costs and uncertainties regarding the supply of electricity. The root causes of these conditions are under investigation and are the subject of much debate. Part of the problem may be that the State does not generate sufficient energy to meet its demand and must import energy from outside sources. Another part of the problem may be the lack of cost controls as a result of deregulation. The California Energy Commission (CEC) is currently considering applications for the development of new power-generating facilities in San Francisco, the Bay

Area, and elsewhere in the State. These facilities could supply additional energy to the power supply "grid" within the next few years. These efforts, together with conservation, will be part of the statewide effort to achieve energy sufficiency. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the proposed project would not result in a significant physical environmental effect or contribute to a cumulative impact.

12) HAZARDS - Could the Project:

YES NO DISCUSSED

(a) Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?

— X X

(b) Interfere with emergency response plans or emergency evacuation plans?

— X X

(c) Create a potentially substantial fire hazard?

— X X

A Phase I Environmental Site Assessment (ESA) for the project site was prepared in November 2002.¹² The Phase I ESA was conducted to identify possible environmental concerns related to on-site or nearby chemical use, storage, handling, spillage, and/or on-site disposal, with particular focus on potential degradation of soil or groundwater quality. The Phase I ESA also addressed past and present land use and operating practices at and near the site, and the potential for migration of chemicals, contaminants and toxics onto the site from reported chemical releases on properties in the vicinity of the site.

The Phase I ESA indicates that the site was undeveloped until the early 1900's. The earliest Sanborn insurance maps show the area with little development until between 1900 and 1915. Most development was residential. The development on the project site first appears on the 1915 Sanborn map. The 1319-1321 building is listed as a residential building. The 1315-1317 building is listed as a Pacific Telegraph and Telesis Building. The 1311 building (currently the auto repair facility) is also listed as a residential building. The 1950 Sanborn map shows the 1315-1317 building as an auto repair facility. At present, residential units, retail space and an auto repair facility occupy the site.

A November 2002 field visit to the project site revealed no evidence of use, storage, or disposal of any materials considered to be hazardous with the exception of those used in the normal business.¹³ Minor staining in the parking area of the auto repair facility was observed. However, the concrete floor was in good condition and the staining was limited to a minor amount. The street parking spaces showed considerable staining by motor vehicle oils, but no more than for the general area. In the vicinity of the project site there are various commercial businesses, photo shops and contractors. Many of these businesses use, store and sell paint, solvents and other materials considered to be hazardous and thus, are listed in government databases as small quantity generators. None of the businesses noted appear to have any effect on the subject property.

¹² Ibid.

¹³ Ibid.

Phase I ESA conducted a review of pertinent regulatory records concerning the project site and contamination cases in the area to identify potential on-site sources of hazardous materials and off-site sources that might affect soil and/or groundwater quality at the site. The auto repair facilities, along with other addresses within a quarter mile radius, were listed on the databases reviewed. There were no sites found on the databases that are environmental concerns. There is no evidence that any of these sites have had an impact on the soil or groundwater below the site.

In summary, the Phase I ESA found that there were no conditions that were observed or found that would indicate that any activities at the project site have impacted the soil or groundwater below. The impact from other sites and other sources in the surrounding neighborhood show no adverse effects on the subject property.

Hazardous Building Materials

Building Asbestos. Asbestos-containing materials may be found within the existing buildings that are proposed for demolition. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes: the names and addresses of operations and persons responsible; description and location of the structure to be demolished/alterd including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The BAAQMD randomly inspects asbestos removal operations. In addition, the BAAQMD will inspect any removal operation concerning which a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of material is required to file a Hazardous Waste Manifest which details the hauling of the material from site and the disposal of it. Pursuant to California law, the DBI would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would insure that any potential impacts due to asbestos would be reduced to a level of insignificance.

Lead-Based Paint. Lead-based paint may be found in the existing buildings proposed for demolition as part of the project. Demolition must comply with Chapter 36 of the *San Francisco Building Code*, Work Practices for Exterior Lead-Based Paint. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to December 31, 1978, Chapter 36 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Chapter 36 applies to buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces), where more than ten total square feet of lead-based paint would be disturbed or removed. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the HUD Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance also includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party must: provide written notice to the Director of the DBI, of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or nonresidential, owner-occupied or rental property, approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Sign When Containment is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures in the San Francisco Building Code would ensure that potential impacts of demolition, due to lead-based paint, would be reduced to a level of insignificance.

Soil and Groundwater

The City has adopted an ordinance (Ordinance 253-86, signed by the Mayor on June 27, 1986), which requires analyzing soil for hazardous wastes within specified areas, known as the Maher area, when over 50 cubic yards of soil is to be disturbed and on sites specifically designated by the Director of Public Works.¹⁴ The project site falls outside the boundary of the Maher Ordinance and, therefore, would not be subject to this ordinance. Additionally, as discussed above, the Phase I ESA found that there were no conditions that were observed or found that would indicate that any activities at the project site have impacted the soil or groundwater below.

Underground Storage Tanks

The Phase I ESA found no evidence of an underground storage tank associated with the subject property.¹⁵ The Seventh Avenue Church, immediately south of the project site, is suspected of having a heating oil tank, however, it is not considered a significant threat to the safety of the subject property.

Evacuation, Emergency Response and Fire Safety

San Francisco ensures fire safety primarily through provisions of the *Building Code* and the *Fire Code*. Existing buildings are required to meet standards contained in these codes. In addition, the final building plans for any new residential project greater than two units are reviewed by the San Francisco Fire Department (as well as the DBI), in order to ensure conformance with these provisions. The proposed project would conform to these standards, which (depending on building type) may also include development of an emergency procedure manual and an exit drill plan. In this way, potential fire hazards (including those associated with hillside development, hydrant water pressure, and emergency access) would be mitigated during the permit review process.

13) <u>CULTURAL</u>	- Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
(a)	Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study?	—	<u>X</u>	<u>X</u>
(b)	Conflict with established recreational, educational, religious or scientific uses of the area?	—	<u>X</u>	—
(c)	Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?	—	<u>X</u>	<u>X</u>

¹⁴ The Maher Ordinance applies to that portion of the City bayward of the original high tide line, where past industrial uses and fill associated with the 1906 earthquake and bay reclamation often left hazardous waste residue in soils and groundwater. The ordinance requires that soils must be analyzed for hazardous wastes if more than 50 cubic yards of soil are to be disturbed.

¹⁵ Golden Gate Tank Removal, Inc., *Phase I Environmental Site Assessment, 1315-1327 7th Avenue, San Francisco, California*, November 20, 2002. This document is on file and available for public review by appointment at the Planning Department, 1660 Mission Street, 5th Floor, as part of Case File No. 2004.0897E.

Archaeological Resources

Factors considered in determining the potential for encountering archaeological resources include the depth and areal extent of soils disturbance resulting from the project, as well as information about known archaeological resources in the project vicinity and the historical development of the project site. The construction of the proposed project would require concrete piers and retaining walls for its foundation. The proposed project would result in excavation of approximately 14 feet below ground surface. There appears to be a low potential for significant historical archaeological deposits to be present within the project site.¹⁶ However, it is possible that moderately or deeply buried prehistorical deposits could be present that would be affected by the excavation work. In order to reduce the project's impact on archaeological resources to a less-than-significant level, the project sponsor would be required to implement Mitigation Measure 2, Archaeological Resources (Accidental Discovery) presented in Section D of this document (see page 31).

The project site could have prehistoric archaeological resources at greater depth within the project site buried beneath or within sand dune soils.

Architectural Resources

The property at 1315-1327 Seventh Avenue consists of four buildings that have been under common ownership since the 1920s. These buildings include two cottages built in 1908 (1325-1327 Seventh Avenue), two flats and a storefront built in 1911 (1319-1321 Seventh Avenue), a small wooden garage built in 1928 (1327 Seventh Avenue), and a brick commercial building that was built in ca. 1910 but was altered in 1931 (1315 Seventh Avenue).¹⁷ The first three buildings were built and the last building was altered by a couple named Joseph and Veronica Thompson, who lived in one of the cottages during these decades.

A Historic Resource Evaluation (HRE) for the existing buildings on the project site was prepared by Adam Light, Planning Department Preservation Technical Specialist.¹⁸ The HRE found that the subject property has been substantially altered over the years. The two flats and storefront building at the front of the lot have been stripped of their original ornament and covered in asbestos siding. Additionally, the ground level storefront, although retaining its original form, has been altered over the years. Non-original brick cladding has been added to the residential entrance. Only the original (or compatible) wood double-hung window sashes remain intact. The entrance locations of the two cottages at the rear of the lot have

¹⁶ Randall Dean, Planning Department Staff, Archaeological Sensitivity Memorandum to Art Aguilar, Planning Department Staff, May 10, 2005. This document is on file and available for public review by appointment at the Planning Department, 1660 Mission Street, 5th Floor, as part of Case File No. 2004.0897E.

¹⁷ William Kostura, *Historical Evaluation of 1315-1327 Seventh Avenue*, August 2004. This document is on file and available for public review by appointment at the Planning Department, 1660 Mission Street, 5th Floor, as part of Case File No. 2004.0897E.

¹⁸ Adam Light, Planning Department Preservation Technical Specialist, Historic Resource Evaluation Memorandum for 1315-1327 7th Avenue, February 23, 2006. This document is on file and available for public review by appointment at the Planning Department, 1660 Mission Street, 5th Floor, as part of Case File No. 2004.0897E.

been altered and the interiors gutted, remodeled and severely abused. Consequently, the subject property is not considered an historical resource for purposes of CEQA.¹⁹

There is a very cohesive neighborhood context of Arts and Crafts era residential and commercial buildings that could comprise an historic district.²⁰ However, the subject property does not contribute to the district as it is designed in the typical San Franciscan Edwardian vernacular and does not retain a great deal of integrity. Additionally, the proposed project and its design are generally compatible with the surrounding potential historic district.

In light of the above, the proposed project would not result in a significant historical resources impact.

C. <u>OTHER</u>	- Could the Project:	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
	Require approval and/or permits from City Departments other than Department of City Planning or Bureau of Building Inspection, or from Regional, State or Federal Agencies?	<u>—</u>	<u>X</u>	<u>—</u>

Neighborhood Notice

A "Notification of Project Receiving Environmental Review" was sent out on July 12, 2005 to the owners and occupants of properties adjacent to the project site and interested parties. One individual responded to the Notification and requested to receive further environmental review documents. The environmental impacts of the proposed project are discussed above and no significant adverse environmental impacts that could not be mitigated to a less-than-significant level have been identified.

D. <u>MITIGATION MEASURES</u>	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
1) Could the project have significant effects if mitigation measures are not included in the project?	<u>X</u>	<u>—</u>	<u>X</u>
2) Are all mitigation measures necessary to eliminate significant effects included in the project?	<u>X</u>	<u>—</u>	<u>X</u>

The following mitigation measures have been adopted by the project sponsor and are necessary to avoid potential significant effects of the proposed project.

Mitigation Measure 1 - Construction Air Quality

The project sponsor shall require the contractor(s) to spray the site with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand, or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions.

¹⁹ Ibid.

²⁰ Ibid.

Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Mitigation Measure 2 – Archaeological Resources (Accidental Discovery)

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in *CEQA Guidelines* Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource “ALERT” sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the “ALERT” sheet is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement

a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

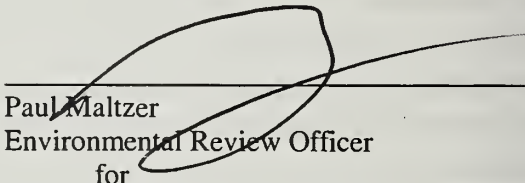
E. MANDATORY FINDINGS OF SIGNIFICANCE

	<u>YES</u>	<u>NO</u>	<u>DISCUSSED</u>
1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	—	<u>X</u>	<u>X</u>
2) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	—	<u>X</u>	<u>X</u>
3) Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)	—	<u>X</u>	<u>X</u>
4) Would the project cause substantial adverse effects on human beings, either directly or indirectly?	—	<u>X</u>	<u>X</u>

The proposed project is consistent with all applicable zoning controls. While local concerns or other planning considerations may be grounds for modification or denial of the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

F. ON THE BASIS OF THIS INITIAL STUDY

- ☐ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.
- ☒ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because Mitigation Measure 1, Construction Air Quality and Mitigation Measure 2, Archaeological Resources (Accidental Discovery) in the discussion above have been included as part of the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.


Paul Maltzer
Environmental Review Officer
for
Dean L. Macris
Director of Planning

March 24, 2006
DATE

